



## Report to Planning & Zoning Commission

Clay County, Missouri

**Case Number**                      **October 16-132F**

**Case Type**                        **Final Plat**

**Project Name**                    **Horse Hideaway**

Applicant:                      Amy Swanson, Triple H Team, Re-Max Innovations  
3200 NE 83<sup>rd</sup> Street  
Kansas City, MO 64119

Owner:                         Andrea Burgis  
12608 NE 112<sup>th</sup> Street  
Liberty, MO 64068

Request                        **Final Plat** approval of Horse Hideaway

Application Submittal                      2016-09-06

Public Notice Published                      N/A

Neighbor Letters Sent                      2016-09-16

Report Date                                  2016-09-28

Public Hearing Opened                      2016-10-04

REPORT AUTHOR(S)                      Debbie Viviano, Planner  
Kipp Jones, Manager

Recommendation                      APPROVED with conditions



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Clay County, Missouri

## General Information

**Site Location:** approximately 12608 NE 112<sup>th</sup> Street  
Section 19 | Township 52 | Range 31

**Site Size:** 39 $\pm$  Acres

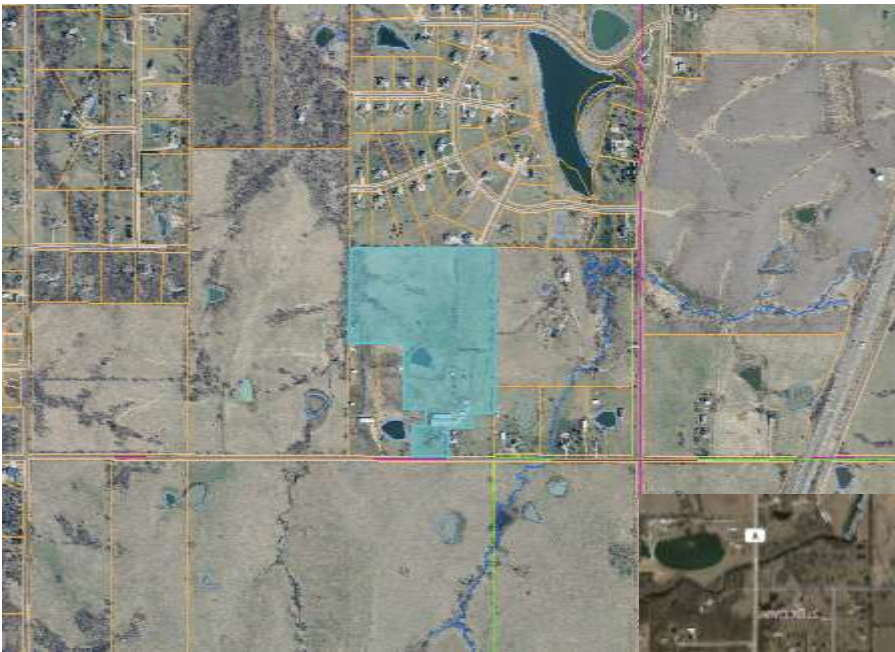
**Existing Landuse & Zoning:** Agricultural (AG)

**Zoning/Platting History:** None

### Surrounding Landuse & Zoning:

- North - Private Gardens (R-1B), Riverview Estates (R-1A), R-1 & AG zoned land
- East - R-1 & AG zoned land, I-35
- South - City of Liberty, AG zoned land
- West - Bringus Estates (RU & R-5), AG and R-1 zoned land, Whiteridge Estates (R-1), Legacy Park (R-1B/PUD), City of Kansas City

### Current Conditions:



Courtesy of Clay County Assessor GIS/Mapping



Courtesy Microsoft® Bing™



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## Assessment

Amy Swanson, Triple H Team, Re-Max Innovations, representing Andrea Burgis is requesting a **Rezoning** approval from Agricultural (AG) District to Residential Ranchette (R-5) District with a Shadow Plat (SP) Overlay District for ONLY proposed Lot 1 and **Preliminary Plat** (Lots 1 & 2) approval.

Ms. Burgis would like to split the property into two (2) lots in order sell Lot 1.

## Character of the General Neighborhood

The subdivisions of Private Gardens (R-1B) and Riverview Estates (R-1A), Residential Rural (R-1) and Agricultural (AG) zoned land are to the north. Residential Rural (R-1) and Agricultural (AG) zoned land, I-35 are to the east. The city limits of the City of Liberty are to the south and east; Agricultural (AG) zoned land also to the south. Adjoining to the west is Bringus Estates (RU & R-5); further west are the subdivisions of Whiteridge Estates (R-1) and Legacy Park (R-1B & PUD) and the City of Kansas City. [See Attachment B].

## LDC Considerations

The review procedures and submittal content for a Final Plat must be in substantial compliance with the approved preliminary plat in accordance with the requirements under **Section 151-3.6 (D)** of the Clay County 2011 Land Development Code ("LDC"). Based on all the materials and evidence presented, the subject request *appears to substantially comply with the LDC and preliminary plat.*

The application was properly noticed, per regulations and adjacent property owners were notified within the mandated 1,000 foot distance by means of a letter dated September 16, 2016.

The Board of Zoning Adjustment (BZA) approved the following two non-use variances on September 27, 2016:

1. A variance of 190.16' lot depth of Section 151-8.4A to allow a 1451' lot depth for proposed Lot 2.
2. A variance of 12.9' side setback of Section 151-6.3(1a) to allow a 37.1 side setback for an accessory structure that houses animals on proposed Lot 2.

## Outside Agency Review

The Highway Department has reviewed the area and noted the driveway for Lot 1 will come off of N. Gallatin Street. N. Gallatin Street is an existing asphalt, curb and guttered street within Private Gardens subdivision. Should the Shadow Plat eventually move forward, N. Gallatin will be extended and the driveway for Lot 1 will be required to be placed within the 30' ingress/egress easement noted on the plat. North Gallatin will also be required at that time to have a temporary cul-de-sac added to the terminus.

Central Rivers Wastewater Utility confirmed in a letter dated August 26, 2016 that current capacity is available within the existing sewer system to Private Gardens, and per conversation that service can be extended onto the adjacent property currently under contract.

Public Water Supply District #6 of Clay County currently has a water main that parallels NE 115<sup>th</sup> St. that is capable of supplying the proposed lot. However, a main extension will be required to get water to the property.



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The property lies within the Kearney Fire District.

## Findings

Road Impact Fees (RIF) are required for the proposed one (1) additional lot. The estimated total amount of RIF is \$1,031.25 and is subject to change at the time of payment based on the market price of material.

## Recommendations

Staff recommends the **Final Plat** of Horse Hideaway be **Approved**, with the following conditions as shown on Exhibit A:

### Exhibit A

1. Road Impact Fees (RIF) agreement recorded and fees paid according to agreement at same time as the recording of the Final Plat.
2. The shed located within the Stream Setback Zone 2 will need to be removed before recording of the Final Plat.
3. The existing pond structure on proposed Lot 2 must be inspected by the Natural Resources Conservation Service (NRCS, formerly the U.S. Soil Conservation Service/Clay County Soil and Water Conservation District), and if not found to be in good condition proper repairs as determined by NRCS must be done prior to the recording of the Final Plat



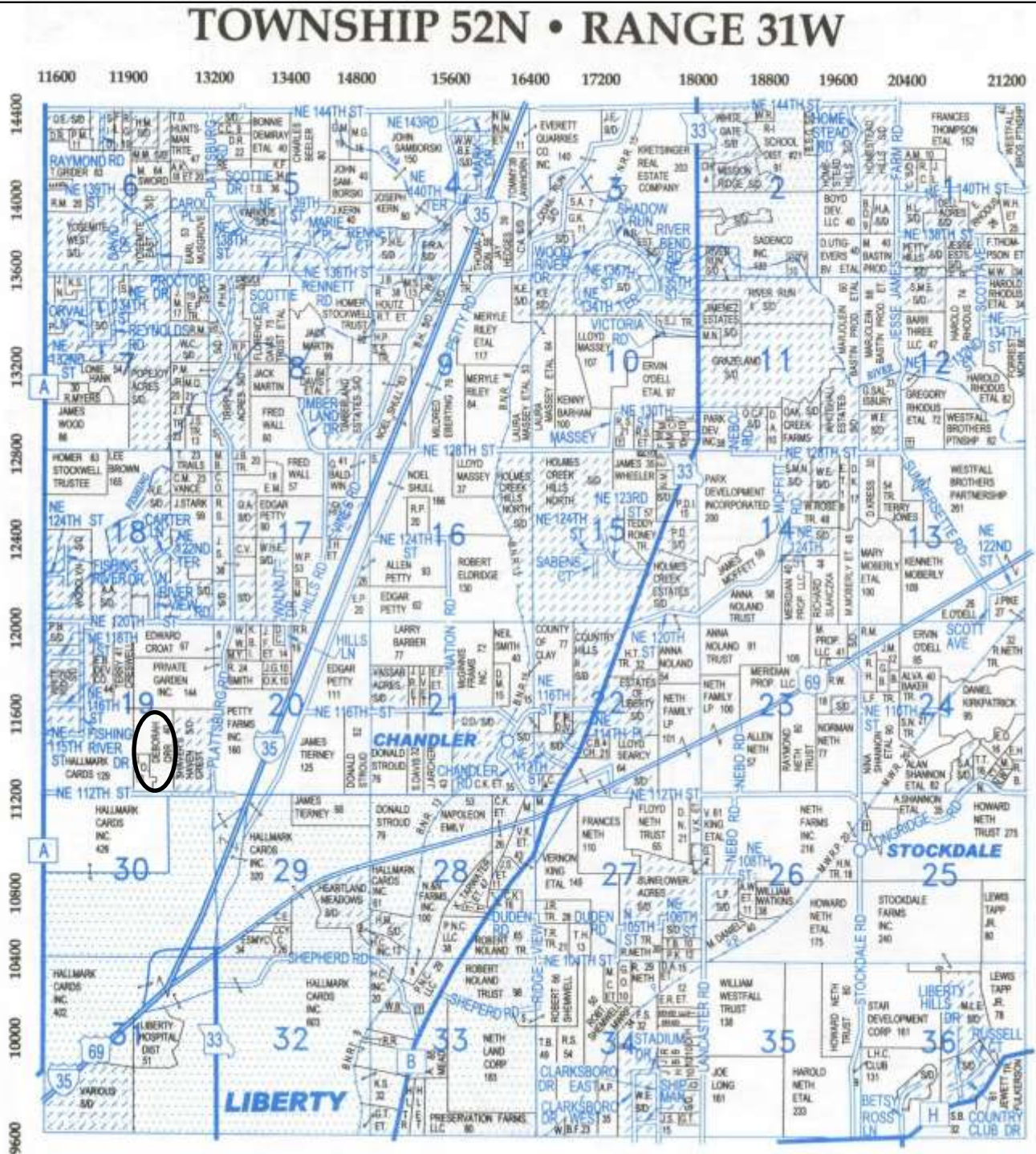


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## Attachments

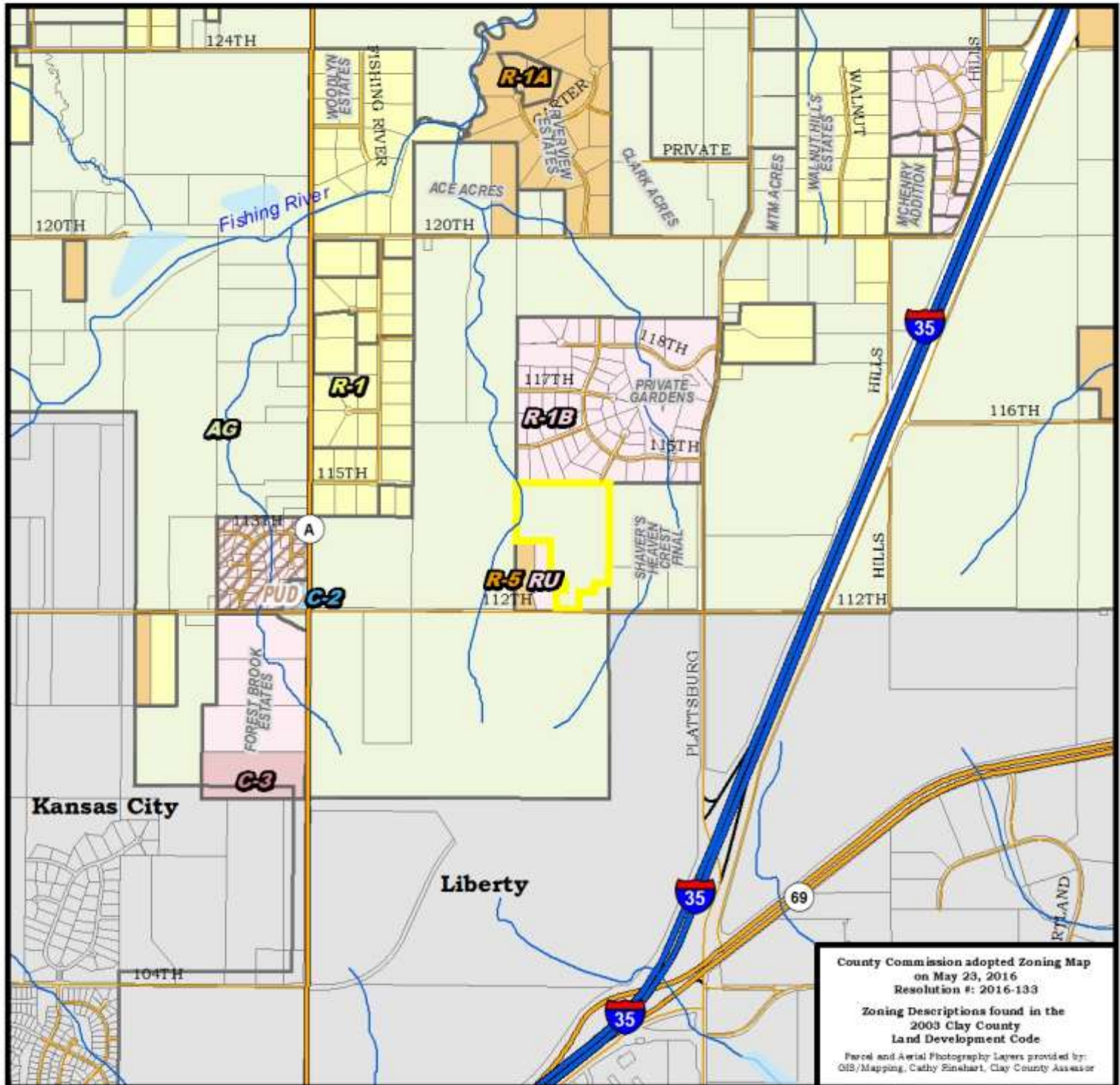
### October 16-132F Horse Hideaway Attachment A - Vicinity Map





# Oct 16-132F – Horse Hideaway

## Attachment B - Existing Conditions Map



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### LEGEND

- Property Line
- ~~~~~ Streams (EPA)
- Railroads
- Roads
  - Interstates
  - State Highways
  - Local Roads
  - Highway Ramps
- Subdivisions
- 2016 City Limits
- Parks
- County Boundaries

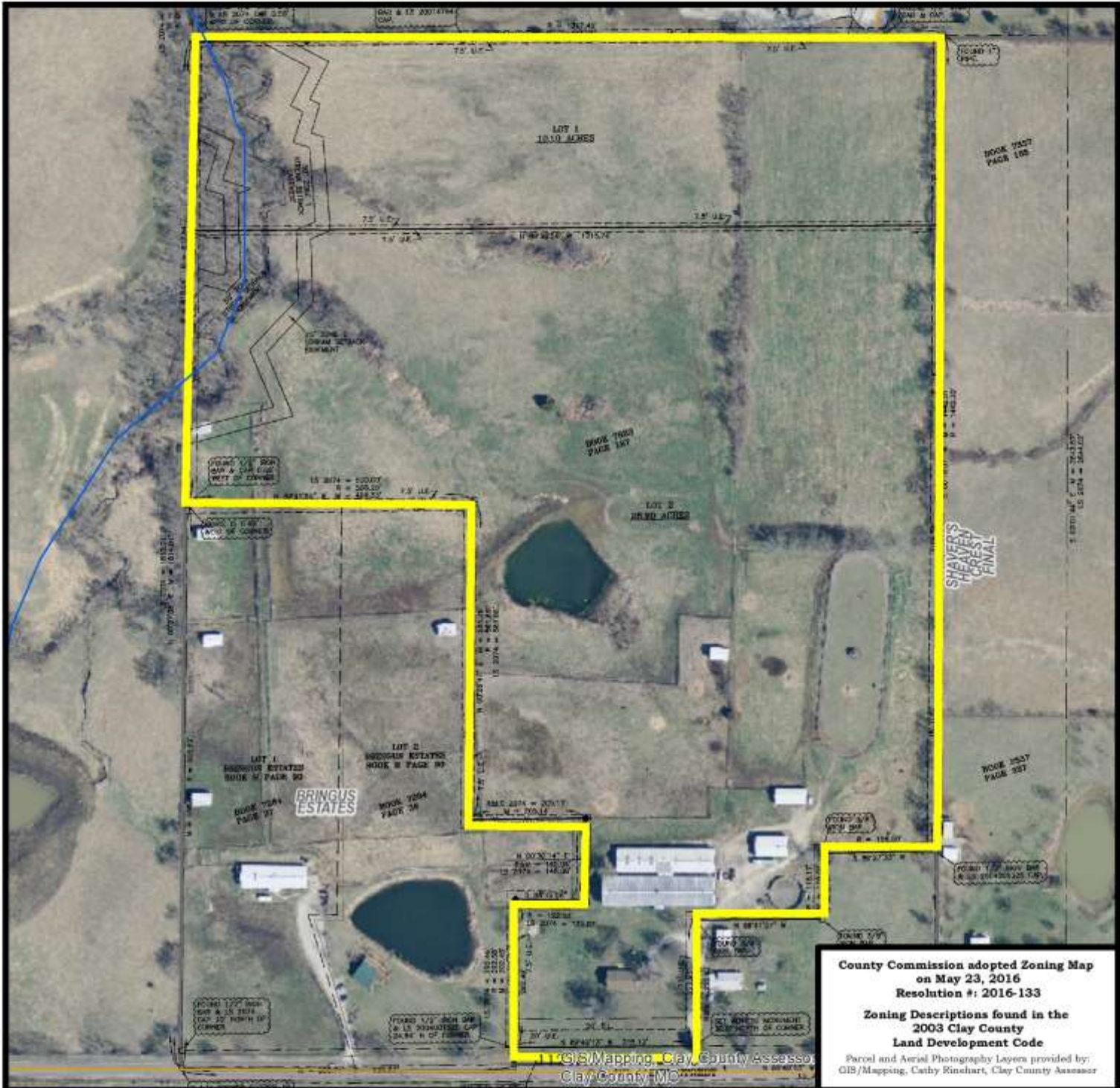
- Overlay Districts
  - CD (Conservation District)
  - POD (Preservation Overlay District)
  - PUD (Planned Unit Development)

- Zoning Districts
  - AG
  - R-1
  - R-1A/R-5
  - R-1B/RU
  - R-3
  - C-1
  - C-2
  - C-3
  - I-1
  - I-2
  - OP



# Oct 16-132F – Horse Hideaway

## Attachment C - Site Plan Map



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1 inch = 250 feet  
1 inch = 0.05 miles

### LEGEND

- |               |                |                   |
|---------------|----------------|-------------------|
| Property Line | Roads          | Subdivisions      |
| Streams (EPA) | Interstates    | 2016 City Limits  |
| Railroads     | State Highways | Parks             |
|               | Local Roads    | County Boundaries |
|               | Highway Ramps  |                   |